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Attorneys for U.S. CUSTOMS AND  
BORDER PROTECTION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

|                               |   |                                          |
|-------------------------------|---|------------------------------------------|
| JOSE ARMANDO CAUICH CASTILLO, | ) | No. 3:23-cv-03110-RS                     |
| Plaintiff,                    | ) |                                          |
| v.                            | ) | <b>STIPULATION RE RESPONSE DATE AND</b>  |
| U.S. CUSTOMS AND BORDER       | ) | <b>JOINT REQUEST TO CONTINUE INITIAL</b> |
| PROTECTION,                   | ) | <b>CASE MANAGEMENT CONFERENCE AND</b>    |
| Defendant.                    | ) | <b>EXEMPT PARTIES FROM RULE 26</b>       |
|                               | ) | <b>REQUIREMENTS; ORDER</b>               |

The parties, by through their undersigned attorneys, hereby stipulate as follows:

1. On June 23, 2023, Plaintiff filed a complaint under the Freedom of Information Act in the above-entitled action.

2. The U.S. Attorney's Office received a copy of the summons and complaint, which were originally delivered to the Office of the Clerk of the District Court for the Northern District of California, on July 7, 2023.

3. The parties have engaged in cooperative and productive communications regarding the FOIA request underlying this litigation and the processing of that request. Defendant has commenced

1 processing the FOIA request and will soon undertake a search for responsive records. Defendant does  
2 not yet know when the processing will be complete, but the parties will continue to meet and confer to  
3 discuss and attempt to resolve any issues that may arise during the processing of the request.

4 4. To allow time for Defendant to continue the processing of Plaintiff's FOIA request, the  
5 parties hereby stipulate, pursuant to Local Rule 6-1(a), that the time within which Defendant shall  
6 answer or otherwise respond to the complaint shall be extended by 60 days, to October 6, 2023. This  
7 stipulation will not alter the date of any event or any deadline already fixed by Court order and therefore  
8 may be made without Court order.

9 5. In addition, pursuant to the Court's Initial Case Management Scheduling Order, Dkt. No.  
10 8, an Initial Case Management Conference ("CMC") is scheduled for September 21, 2023 at 10:00 a.m.  
11 Pursuant to Civil Local Rules 6-2 and 7-12, and subject to the approval of the Court, the parties hereby  
12 stipulate and request that the CMC be continued to November 16, 2023, to allow time for Defendant to  
13 continue processing the FOIA request. The parties propose that they provide the Court a joint status  
14 report by November 9, 2023. At that time, the parties may request a further continuance of the Case  
15 Management Conference or, if the need arises, request to appear at a Case Management Conference.  
16 The parties respectfully submit that this is the most efficient manner in which to proceed and will  
17 conserve both the parties' and the Court's resources.

18 6. To allow time for Defendant to process the FOIA request, for Plaintiff to review the  
19 records, and for the parties to resolve as many issues in this matter as possible between themselves, and  
20 because the parties do not anticipate that this matter will require any discovery, the parties further  
21 stipulate and request that they be relieved from the initial disclosure and conference requirements of  
22 Federal Rule of Civil Procedure 26(a) and (f).

23 7. In accordance with Civil Local Rule 5-1(h)(3), the filer of this document attests that all  
24 signatories listed below concur in the filing of this document.  
25  
26  
27  
28

1 DATED: July 21, 2023

Respectfully submitted,

2 ISMAIL J. RAMSEY  
United States Attorney

3 \_\_\_\_\_  
4 */s/ Pamela T. Johann*  
PAMELA T. JOHANN  
Assistant United States Attorney

5 Attorneys for Defendant

6  
7 DATED: July 21, 2023

NATIONAL IMMIGRATION LITIGATION  
ALLIANCE

8 \_\_\_\_\_  
9 */s/ Trina Realmuto*  
TRINA REALMUTO

10 Attorneys for Plaintiff

**ORDER**

Pursuant to the stipulation of the parties, and good cause having been shown, it is hereby ordered that the Case Management Conference currently set for September 21, 2023, is continued to November 16, 2023. The parties shall provide a joint status report by November 9, 2023. It is further ordered that this action is exempt from the initial disclosure and conference requirements of Federal Rule of Civil Procedure 26(a) and (f).

IT IS SO ORDERED.

DATED: July 24, 2023



THE HON. RICHARD SELBORG  
Chief United States District Judge